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July 3, 2023

Via ECF

The Honorable Barbara C. Moses, U.S.M.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Lopez v. Thermo Tech Mechanical, Inc., et al.*
Case No.: 20-cv-9113 (LTS) (BCM)

Dear Judge Moses:

We are counsel for Plaintiff and write to request the Court's intervention regarding Defendants' failure to comply with Your Honor's Order granting, in part, Plaintiff's request for class-wide discovery, dated May 31, 2023 [Dkt. No. 92]. As of the date of this letter, Defendants have not produced any documents responsive to Plaintiff's class-wide discovery requests.

Per the Court's Order [Dkt. No. 92], Defendants' production of class-wide documents responsive to Plaintiff's discovery requests were due by June 30, 2023. Following the Court's entry of this Order, on June 14, 2023, counsel for Defendants Jason Mizrahi, Esq., and counsel for Plaintiff James Jackson, Esq., met and conferred by telephone for approximately 10 minutes to discuss Defendants' class-wide production in light of the Court's Order. On the call, counsel for Defendants indicated that he had informed Defendants of the Order requiring them to produce class-wide documents and the date by which such production was due. Counsel for Defendants further indicated that he did not anticipate any delays with such production.

As of the date of this correspondence, Defendants have not complied with Your Honor's Order, but instead have contacted counsel for Plaintiff seeking to further delay producing the class-wide documents per Your Honor's Order.

In view of the foregoing, we request that: (i) Your Honor re-issue an Order for Defendants to comply with their outstanding discovery obligations by July 10, 2023; and (ii) for such further relief as the Court deems appropriate. We thank the Court for Its attention to this matter.

Respectfully submitted,

/s/ C.K. Lee
C.K. Lee, Esq.

cc: all parties via ECF